

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION**

IN RE:
RICHARD GARCIA
SYLVIA GARCIA
Debtor(s)

CASE NO:10-70756-M-13

**AMENDED CHAPTER 13 PLAN
(OBJECTIONS PENDING)**

Comes now, Richard Garcia and Sylvia Garcia for their Amended Chapter 13 Plan and propose as follows:

1. Debtor(s) filed a Chapter 13 Plan on June 6,2011, that has not been confirmed .
2. On June 16,2011 FIA Card Services,N.A. filed two proofs of claims (Claim Register # 4 and Claim # 5), also on July 15,2011 Capio Partners LLC., filed a proof claim (claim Register # 8)which if allowed would cause the Debtor's plan to be deficient and Debtor have filed a timely objections to said claims;
3. A hearing on said objections has not been scheduled .
4. The Debtor' Chapter 13 Plan meets all the requirements of Sec 1325 of the Bankruptcy Code and Debtor has fulfilled all the requirements of the Trustee such that Debtors' plan can be confirmed but for the disputed claim.
5. Debtor request immediate approval of said plan with direction to Trustee to reserve funds for potential payment of the disputed claim until the final hearing on said objection.
6. In the event the Court, having heard the pending objections, enters judgement in favor of the Creditor, Debtors request that their Chapter 13 case be dismissed without prejudice unless Debtors file an amended confirmable plan and fulfills all the requirements of the Trustee or file a Motion to convert to Chapter 7 within 30 days of the final disposition of the depending objection

Date: August 12,2011.

/s/ Richard Garcia
Richard Garcia

/s/ Sylvia Garcia
Debtor

/s Raul E Mora
Debtors' Attorney